

REMARKS/ARGUMENTS

Claim Rejections - 35 USC 103

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhaskaran et al. (U.S. 2004/0141630) in view of Yamamoto (U.S. 5,802,179).

Bhaskaran et al. disclose a "Method and apparatus for augmenting a digital image with audio data". But, Bhaskaran et al. object using bar code to record sound data, as described in the paragraph [0006] and [0007] of their invention:

"[0006] FIG. 1 is a schematic diagram illustrating a printed photograph having a defined region for including audio data. Printing medium 100 includes regions 102 and 104 along with the still picture image. For example, regions 102 can include an optically readable voice code image, while region 104 includes data relating the audio data and the photographed still image. Alternatively, the audio data of FIG. 1 can be converted to a bar code and printed at the bottom, or some other region of printing medium 100.

[0007] The shortcomings of the scheme defined with reference to FIG. 1 include the reduction of the print area of the photograph or image. That is, the photograph or image is not allowed to occupy the entire region of printable area due to the area consumed by the audio data.

Additionally, the audio augmented photograph is restricted to a print medium having the audio data. Furthermore, the amount of audio data capable of being included in the printed picture is directly related to the size of the picture. In order to fit the readable voice code image region and/or the data relating region, the digital image data of the photograph must be resealed prior to printing, thereby causing delays and requiring memory resources."

Instead, Bhaskaran et al. "embedded" audio data into image data to create "augmenting" image data, then transmit or print the "augmenting" image data, as described in the ABSTRACT of their invention: "The method initiates with combining digital audio data and digital image data to define an audio augmented digital image. Then, the audio augmented digital image is transmitted to a receiving device." In Bhaskaran's method, image data and sound data are mixed and the audio data is not encoded as bar code.

Appl.No. 10/711,357

Amdt. Dated March 8, 2006

Reply to Office action of March 1, 2006

So, Bhaskaran et al. disclosed a complete different method to record image and audio together.

Bhaskaran's invention never mention “...encoding the digital sound data into a barcode using the PC (paragraph 35+, 41-49), means for printing the barcode on to the side of the photograph, which appears as a graphic picture, using the PC and a printer (paragraphs 34-37); means for printing the barcode on the back of the photograph, which appears as a graphic picture, using the PC and a printer (paragraphs 38+); means for scanning the graphic picture to produce digital data representing the information of the barcode, using the PC and a scanner (paragraphs 38+. 67+); means for decoding and uncompressing the digital data of the barcode to produce the digital sound data, using the PC (paragraphs 41-45); ...” [cited from the Office communication Page 2, Line 17+]. The only one time the Bhaskaran et al. using the word “barcode” in their invention is in the paragraph [0006], as I cited above. And at there and paragraph [0007], Bhaskaran et al. object to use “barcode” to encoding and recording the sound data.

In contrast, my invention is using 2-demisional bar code to encoding and recording sound. And in my invention, image data and sound data is separated. Bhaskaran's invention is total different from my invention. Withdrawal of this rejection is respectfully requested.

Yamamoto disclosed an “Information processor having two-dimensional bar code processing function”. But my invention is in the “personal and commercial talking photographs and pictures field”. My invention teaches people how to use a Personal Computer (PC) to print sound on to a photograph and how to use a PC to read back and play the sound (Claim 1). My invention claims “a program” running on a PC to record and play back sound and music (Claim 2) that means a CD with software. My invention also claims using a cell phone and digital camera to play back sound and music (Clam 3 and Clam 4). Yamamoto did not show or suggest or claim all of these particular apparatus, method and usage, withdrawal of this rejection is respectfully requested.

Appl.No. 10/711,357

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CONCLUSION

My invention shows and suggests a new, easy and low cost method to record sound and music on photograph and play back using a PC and 2-dimensional bar code. Withdrawal of rejection is respectfully requested.

Willams et al. (U.S. 6,610,386), Akamine (U.S. 6,629,635), Mikaye (U.S. 6,853,736), sasaki et al. (U.S. 6,964,373) and Yoshiro (US 2002/0018138) all did not show or suggest or claim to use PC and 2-dimensional bar code to record and play back sound recorded on a photograph.

Respectfully submitted,

Tianmo Lei

A handwritten signature in black ink that reads "Tianmo Lei". The signature is written in a cursive, flowing style.

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